

Application Serial No. 10/035,338

Attorney Docket No. 59589.000039

REMARKS

Claims 1-9, 11-19 and 22-24 are pending in the application. By this Amendment, claims 1, 12, and 14-16 are amended and claims 10, 20 and 21 are canceled. Reconsideration and allowance in view of the following remarks are respectfully requested.

A. The Allowable Subject Matter

The Office Action indicates that claims 10, 15 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims; and that claims 22, 23 and 24 are allowed. Applicant appreciates such indication of allowable subject matter. Applicant traverses the various 35 U.S.C. §103 rejections set forth in the Office Action. However, in order to expedite prosecution of this application, the objected claims indicated as allowable have been placed into independent form as follows:

The features of claim 10 have been incorporated into claim 1;

The features of claim 1 have been incorporated into claim 15, and the dependencies of claims 12 and 14 have been amended to be dependent on claim 15;

The features of claim 20 have been incorporated into claim 16; and

Claim 21 has been canceled.

Application Serial No. 10/035,338

Attorney Docket No. 59589.000039

B. The Claims Define Patentable Subject Matter

Claims 1, 5, 11, 12, 16-18 and 21 are rejected under 35 U.S.C. 103 as being unpatentable over US Patent No. 6,556,956 to Hunt in view of US Patent No. 6,343,251 to Herron and US Patent No. 3,937,934 to Pasemann. The Office Action sets forth various other grounds of rejection under 35 U.S.C. §103. The rejections under 35 U.S.C. §103 are respectfully traversed.

Applicant asserts that there are deficiencies in the rejections under 35 U.S.C. §103. For example, the Office Action on page 3 asserts that Herron teaches determining the validity of the performance data of a gas turbine by examining a base load condition of the turbine. It is submitted that Herron fails to teach such relationship between determining validity of data and the base load. Rather, for example, Herron simply teaches operational data regarding gas turbines maintained at the remote database server 18, e.g., sensor output information from the various gas turbines, is processed to generate information regarding the operational conditions of each gas turbine; and that for example, the processing may determine the base load operating hours on gas fuel (G) that each gas turbine undergoes. However, such teachings of Herron fall short of the claimed interrelationship between the validity of the calculated performance data and the base load condition of the turbine, as claimed.

Application Serial No. 10/035,338

Attorney Docket No. 59589.000039

However, in order to expedite prosecution of this application, Applicant has amended the application based on the indication of allowable subject matter. Accordingly, it is respectfully submitted that all claims are now in condition for allowance.

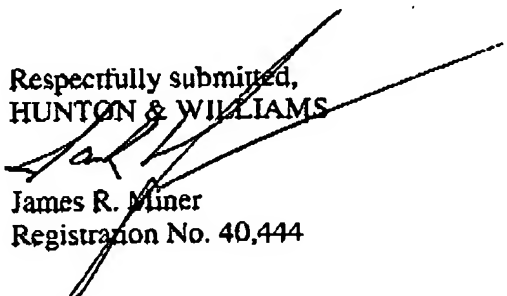
C. Conclusion

For at least the reasons outlined above, Applicant respectfully asserts that the application is in condition for allowance. Favorable reconsideration and allowance of the claims are respectfully solicited.

Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

For any further fees due in connection with filing this Response the Commissioner is hereby authorized to charge the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,
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